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9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11

12 ALMA LUCERO SANDOVAL
13 HERNANDEZ, et al.,

14 Petitioners,

15 v.

16 KRISTI NOEM, Secretary, Department
of Homeland Security, et al.,

17 Respondents.
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No. 5:25-cv-02563-FMO-SK

**FEDERAL RESPONDENTS'
RESPONSE TO ORDER TO SHOW
CAUSE RE: PRELIMINARY
INJUNCTION; SUGGESTION OF
MOOTNESS**

Honorable Fernando M. Olguin
United States District Judge

RESPONDENTS' OPPOSITION TO OSC RE: PRELIMINARY INJUNCTION

On October 3, 2025, the Court issued an order [Dkt. 12] providing that the Respondents are enjoined from continuing to detain the Petitioners unless they are provided bond hearings before an immigration judge within seven days pursuant to 8 U.S.C. § 1226(a). The Court's order further required Respondents to show cause as to why a preliminary injunction should not issue. Respondents hereby show such cause.

Providing the Petitioners with the 1226(a) bond hearings, or otherwise releasing them from detention, moots the requested preliminary injunction and this habeas petition more generally. *See, e.g.*, the parallel case filed by Petitioners' counsel as *Javier Gonzales et al. v. Kristi Noem et al.*, 5:25-cv-02054-ODW-BFM, Dkt. no. 16 (August 25, 2025 minute order by Hon. Judge Wright, denying as moot the petitioners' pending request for a preliminary injunction given their receipt pursuant to a TRO of 1226(a) bond hearings and issuing the petitioners an order to show cause re: dismissal); Dkt. no. 17 (notice of voluntary dismissal); and Dkt. no. 18 (order dismissing petition). *See also* *Moises Salomon Zaragoza Mosqueda v. Kristi Noem et al.*, 5:25-cv-002304-CAS-BFM, Dkt. no. 15 (September 17, 2025 minute order by Hon. Judge Snyder, denying preliminary injunction and issuing OSC re dismissal for mootness given the petitioners' receipt of immigration bond hearings); and Dkt. no. 16 (notice of voluntary dismissal).

While Respondents continue to oppose the issuance of a preliminary injunction pursuant to the legal positions stated in the Respondents' brief in opposition to the Petitioners' *ex parte* application for a temporary restraining order, and the Respondents maintain that those positions warrant denying a preliminary injunction on the merits, the issue is mooted in any event by the TRO's issuance [Dkt. 12] and the subsequent provision of the bond hearings for the Petitioners.

Accordingly, following the provision of the remaining bond hearings, which the Respondents anticipate updating the Court on as they have done in other cases, the OSC re: preliminary injunction should be discharged, and the Petitioners should either voluntarily dismiss their Petition or else be required to respond to an OSC re: Dismissal.

Respectfully submitted,

Dated: October 10, 2025

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LOCAL RULE 11-6.2 CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for the Federal Respondents certifies that this brief contains 4,648 words, which complies with the word limit of L.R. 11-6.1.

Dated: October 10, 2025

/s/ Daniel A. Beck
DANIEL A. BECK